

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JAUQUAN COLLINS,  
Plaintiff,

v.

BRIAN WILLIAMS, et al.,  
Defendants.

Case No.: 2:23-cv-00578-RFB-BNW

**ORDER**  
(ECF No. 1)

On April 17, 2023, pro se plaintiff Jaquan Collins, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983 and applied to proceed *in forma pauperis*. (ECF Nos. 1-1, 1.) Plaintiff's application to proceed *in forma pauperis* is incomplete because **Plaintiff used a form requesting to file a petition for a writ of certiorari before the Supreme Court of the United States, rather than using this Court's approved form to apply to proceed *in forma pauperis*. Furthermore, Plaintiff's financial certificate is incomplete, and Plaintiff did not include an inmate trust fund account statement for the previous six-month period with the application.** The Court will deny Plaintiff's application to proceed *in forma pauperis* without prejudice and give Plaintiff the opportunity to correct these deficiencies **by June 23, 2023.**

**I. DISCUSSION**

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly

1 signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is  
2 page 4 of the Court's approved form, that is properly signed by both the inmate and a  
3 prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account**  
4 **statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev.  
5 Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her  
6 obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.  
7 See 28 U.S.C. § 1915(b).

8 As explained above, Plaintiff's application to proceed *in forma pauperis* is  
9 incomplete. The Court will therefore deny Plaintiff's application to proceed *in forma*  
10 *pauperis* without prejudice and grant Plaintiff an extension of time to either pay the filing  
11 fee or file a new fully complete application to proceed *in forma pauperis* with all three  
12 required documents.

## 13 **II. CONCLUSION**

14 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis*  
15 (ECF No. 1) is denied without prejudice.

16 **IT IS FURTHER ORDERED** that Plaintiff has **until June 23, 2023** to either pay the  
17 full \$402 filing fee or file a new fully complete application to proceed *in forma pauperis*  
18 with all three required documents: (1) a completed application with the inmate's two  
19 signatures on page 3, (2) a completed financial certificate that is signed both by the  
20 inmate and the prison or jail official, and (3) a copy of the inmate's trust fund account  
21 statement for the previous six-month period.

22 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
23 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
24 to refile the case with the Court, under a new case number, when Plaintiff can file a  
25 complete application to proceed *in forma pauperis* or pay the required filing fee.

26 ///

27 ///

28 ///

1 The Clerk of the Court is directed to send Plaintiff Jaquan Collins the approved  
2 form application to proceed *in forma pauperis* for an inmate and instructions for the same  
3 and retain the complaint (ECF No. 1-1) but not file it at this time.

4 DATED: April 25, 2023

5  
6   
7 UNITED STATES MAGISTRATE JUDGE  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28